

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA

v.

NO. 3:21-CR-00093-X

CHRISTIAN MICHAEL MACKEY

FACTUAL RESUME

In support of Christian Michael Mackey's plea of guilty to the offense in Count Two of the indictment, Mackey, the defendant, Doug Morris, the defendant's attorney, and the United States of America (the government) stipulate and agree to the following:

ELEMENTS OF THE OFFENSE

To prove the offense alleged in Count Two of the indictment, charging a violation of 26 U.S.C. § 5861, that is, Possession of an Unregistered Firearm, the government must prove each of the following elements beyond a reasonable doubt:¹

- First.* That the defendant knowingly possessed a firearm;
- Second.* That the firearm was a machinegun, as that term is defined in 18 U.S.C. § 5845(b);
- Third.* That the defendant knew the firearm in question was a machinegun;
- Fourth.* That this firearm could readily have been put in operating condition; and
- Fifth.* That this firearm was not registered to the defendant in the National Firearms Registration and Transfer Record.

¹ Fifth Circuit Pattern Jury Instruction 2.102 (5th Cir. 2019).]

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STIPULATED FACTS

1. Christian Michael Mackey admits that, on or about February 5, 2021, he knowingly possessed a firearm, to wit: a machinegun, further described as an AK47-style 7.62 x 39 millimeter caliber rifle, of an unknown manufacturer, bearing serial number 1979ZG3478, which was not registered to him in the National Firearms Registration and Transfer Record, in violation of 26 U.S.C. § 5861(d).

2. Prior to February 5, 2021, Mackey admits that he discussed the purchase of a machinegun with an undercover FBI agent. Despite being advised of the illegality of the sale, Mackey admits that he chose to pursue purchasing the firearm. In order to fund the purchase of this machinegun, Mackey sold his current firearm, an Anderson Manufacturing AM-15 rifle, bearing serial number 17141419, to a confidential source on January 29, 2021. After selling this firearm, Mackey admits he actively pursued the confidential source for assistance purchasing a machinegun.

3. On or about February 5, 2021, in the Dallas Division of the Northern District of Texas, Mackey paid a confidential source \$900 for an AK47 style 7.62 x 39 millimeter caliber, fully automatic machine gun, bearing serial number 1979ZG3478, and an additional \$200 for ammunition associated with the firearm. Mackey admits that, at the time of the purchase, he knew the firearm was a fully automatic machinegun as defined in 26 U.S.C. § 5845(b).

4. Mackey further admits that the firearm he purchased could have readily been put in operating condition simply by replacing the current firing pin. Mackey also admits that, at the time he purchased the firearm, it was not registered to him in the

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National Firearms Registration and Transfer Record. Mackey admits that this conduct violates 26 U.S.C. § 5861.


5. The defendant agrees that the defendant committed all the essential elements of the offense(s). This factual resume is not intended to be a complete accounting of all the facts and events related to the offense charged in this case. The limited purpose of this statement of facts is to demonstrate that a factual basis exists to support the defendant's guilty plea to Count Two of the Indictment.

AGREED TO AND STIPULATED on this 14th day of April, 2021.

PRERAK SHAH
ACTING UNITED STATES ATTORNEY


CHRISTIAN MICHAEL MACKEY
Defendant


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Attorney for Defendant


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